

AN ORDINANCE

06-0-1340

BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT (Bureau of Code Compliance) TO APPROPRIATE ACTIONS TO CLEAN THE PREMISES AND CLOSE VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON February 23, 2006.

<u>Council District</u>	<u>Property Address</u>
03	1421 Andrews Street, NW
12	1655 Evans Drive, SW
03	276 Holly Road, NW

WHEREAS, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

WHEREAS, on February 23, 2006, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

WHEREAS, on February 23, 2006, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for occupancy or habitation and could be improved, repaired, or altered at a cost less than fifty (50%) or less of the value of the structures, exclusive of the foundation and lots after the improvements have been made; and

WHEREAS, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and/or parties in interest an order requiring the owner(s) and/or parties in interest to repair the structures or clean the premises, vacate and close such structure(s) pursuant to Section 29 of the Atlanta Housing Code.

WHEREAS, a period of thirty (30) days from the date of said order was allowed for the owner (s) and/or parties in interest to comply with the Order.

WHEREAS, the owner(s) and/or parties in interest of the properties, failed to comply with the Order of the In Rem Review Board within the specified time;

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NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

Section 1: That the Mayor or her designee is authorized to clean and close the following real property upon which structure(s) are located:

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Section 2: That the Mayor or her designee is hereby authorized to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structure, (if occupied).
- (2) Clean the premises and board the structure(s) in conformity with the In Rem Board's Order.
- (3) Maintain the property in conformity with the In Rem Board's Order until the structure(s) are repaired and demolished.
- (4) File a lien against the real property on which the structure(s) are attached in an amount necessary to recover the costs incurred by the City of Atlanta.

Section 3: That the Mayor or her designee is further authorized to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

Section 4: That all ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.